UNITED STATES DISTRICT COURT FILED

SOUTHERN DISTRICT OF CALIFORNIA 08 MAY 16 AM 9:48

CLERK, U.S. DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA DEPUTY

'08 MJ 1521

UNITED STATES OF AMERICA,

Plaintiff,

v.

Alfonso RIOFRIO-Castillo
AKA: Jose Manuel LEDEZMA

Defendant.

Magistrate Case No.

COMPLAINT FOR VIOLATION OF

Title 18, U.S.C., Section 1544
Misuse of Passport

The undersigned complainant being duly sworn states:

On or about **May 15, 2008**, within the Southern District of California, defendant **Alfonso RIOFRIO-Castillo AKA: Jose Manuel LEDEZMA**, did knowingly and willfully use a passport issued or designed for the use of another, with the intent to gain admission into the United States in the following manner, to wit: Defendant applied for entry to the United States by presenting U.S. Passport number **088119336**, issued to **Jose Manuel LEDEZMA**, to a Department of Homeland Security, Customs and Border Protection Officer, knowing full well that he was not **Jose Manuel LEDEZMA**, that the passport was not issued or designed for his use, and that he is not a United States citizen entitled to a U.S. Passport. All in violation of Title 18, United States Code, Section 1544.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Claudia Rios, U.S. Customs and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE THIS 16th DAY OF **May, 2008**.

UNITED STATES MAGISTRATE JUDGE
CATHY ANN BENCIVENGO

SR

PROBABLE CAUSE STATEMENT

On May 15, 2008 at approximately 1933 hours **Alfonso RIOFRIO-Castillo AKA: Jose Manuel LEDEZMA (Defendant)** made application into the United States at the San Ysidro, California Port of Entry pedestrian lanes. Defendant presented a United States Passport bearing the name of Jose Manuel LEDEZMA as his entry document. The Customs and Border Protection (CBP) Officer suspected Defendant was not the lawful owner of the United States Passport presented and escorted Defendant to secondary inspection for further processing.

During secondary inspection CBP Officer confirmed Defendant was not the lawful owner of the passport presented. Defendant fingerprints were queried utilizing the Integrated Fingerprint Identification System which confirmed Defendants Identity and linking him to Immigration records.

Later during a video recorded interview Defendant was advised of his Miranda rights and elected to make a statement and answer questions with out the benefit of counsel. Defendant admitted he is a citizen of Mexico with no legal rights or documents to enter the United States. Defendant stated he had been picked up at his home in Ontario California and removed to Mexico by Agents form Immigration and Customs Enforcement on May 14, 2008.

Defendant admitted to knowingly and willfully using a United States Passport designated for the use of another person to gain admission into the United States. Defendant stated he obtained the United States passport form an unknown male in Tijuana Baja California Norte Mexico for the purpose of attempting to enter the United States. Defendant stated he was to pay $2,000.00 for the use of the United States passport and was to pay once in the United States. Defendant stated he was going to his home in Ontario, California.